

# **Legal Limits - Alcohol**

## **Enabling Learning Objectives**

- 1. Select from a list the legal limit for BAC of a Soldier on duty.**
- 2. Select from a list the normal drinking ages within the US and outside the US.**
- 3. Identify when and what actions are required on alcohol incidents**



# Alcohol Testing

- ▢ **Commanders may conduct alcohol testing for the same reasons as they do drug testing.**
- ▢ **Soldiers may be tested:**
  - ▢ **As part of inspection or random selection**
  - ▢ **Probable cause**
  - ▢ **Competence/Fitness for duty**
  - ▢ **Rehabilitation**



# Alcohol Testing

- ▣ **Legal Limits for personnel on duty**
  - ▣ **Per AR 600-85 paragraph 1-34b.:**
    - ▣ **A Soldier with a Blood Alcohol Content (BAC) of greater than or equal to 0.05% is considered to be impaired on duty and is subject to UCMJ action.**
    - ▣ **The Soldier MUST have known that he/she was scheduled for duty at the time of the test.**





# Alcohol Testing

## ▮ Example:

- ▮ A Soldier goes out drinking on Thursday night until about 2400 hours. She knows that PT is at 0630 hours on Friday morning. The commander calls an alert at 0330 and all Soldiers must report within 1 hour. She is alcohol tested when she reports and her BAC 0.06 %. She is not subject to UCMJ because she was unaware of the 0430 report time and her alcohol content would be below 0.05% at 0630.



# Alcohol Testing

- ▮ **Legal Limits for personnel:**
  - ▮ **Soldiers stationed within the continental United States must be 21 years old to drink or they are subject to underage drinking laws and UCMJ. On special occasions installation commanders may authorize all Soldiers to drink, on the installation only.**
  - ▮ **Soldiers outside the United States may normally drink at ages ranging from 18-20, but installation commanders may dictate a higher age.**



# Required Action

- ▮ **An administrative separation action will be initiated and processed to the separation authority for decision of Soldiers involved in 2 serious incidents of alcohol related misconduct in a year.**